Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _21 April 2006_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-4 and 6-13_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-4 and 6-13_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   The Art Unit location of your application in the USPTO has changed. To aid in

correlating any papers for this application, all further correspondence regarding this

application should be directed to Art Unit 2617.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

3.   Claims 1, 6, and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by

Li *et. al.*, U.S. Patent No. 6,591,301.

        Regarding Claim 1, Li *et. al.* discloses a method for controlling the processing of

messages by a packet-based network gatekeeper in order to prevent said gatekeeper's

processor from crashing, wherein messages relating to calls in progress are handled

preferentially relative to messages relating to new calls (Abstract, Column 4 Lines 17-

29, Column 5 Lines 19-29, Fig. 2). If the frequency of messages associated with new

calls exceeds a certain threshold, then a practice known as "in-progress message

favoring" may be invoked (Column 11 Lines 23-32). The message type (that is, a

message associated with a new call or a call in progress) is determined by examining

the message header (Column 11 Lines 33-45, Fig. 11). If the message is associated

with a call in progress, it is placed in a progress queue and processed (Column 11 Lines

59-64). If the message is associated with a new call, then the message is discarded

(Column 11 Lines 64-65). If in-progress message favoring has not been invoked (that

is, the aforementioned threshold has not been exceeded), then messages associated

with new calls are processed.

Claim 6 differs substantively from Claim 1 in that the former Claim, instead of

reciting a "first type" and a "second type", recites "accessing a table based on the read

information element to determine a status of the read information element as either

already known or unknown to said node". Li *et. al.* discloses the classification of

messages as either associated with calls in progress (that is, calls already known to the

gatekeeper) or associated with new calls (that is, calls not known to the gatekeeper), as

outlined above in the rejection of Claim 1.

Regarding Claim 12, Li *et. al.* discloses that the method is customizable such that

messages associated with certain types of new calls (such as emergency calls) are not

discarded (each procedure with a corresponding threshold) (Column 12 Lines 1-20).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 2, 7, and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Li *et. al.* in view Haumont *et. al.*, U.S. Patent No. 6,233,458.

Li *et. al.* discloses that the gatekeeper's CPU load and available memory are criteria used in the method of the invention (Column 5 Line 49 to Column 6 Line 3, Column 8 Lines 4-26).

Li *et. al.* does not expressly disclose the handling of situations whereby a serving general packet radio service support node (SGSN) is re-started, nor the use of a SGSN as the gatekeeper.

Haumont *et. al.* teaches that a SGSN may need to be shut down after a malfunction or due to a high level of traffic in a packet-switched communication network (Column 4 Lines 31-49, Column 6 Lines 7-13, Fig. 6).

At the time that the invention was made, it would have been obvious to one of ordinary skill in the art to modify the invention of Li *et. al.* by using a SGSN as the gatekeeper, and by providing for the procedures of said invention to be performed after a switch off and switch on of a SGSN.

One of ordinary skill in the art would have been motivated to make this modification so as to ensure the smooth transition of information transfer after a SGSN re-start (Haumont *et. al.*: Column 4 Lines 31-32).

6.   Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Li *et. al.* in view of Maruyama *et. al.*, U.S. Patent No. 6,430,272.

Li *et. al.* does not expressly disclose the incorporation of a local temporary logical link identity associated with a particular user terminal into a message.

Maruyama *et. al.* discloses a procedure for processing messages according to a user's wishes at a message processing apparatus in a communication system

(Abstract, Column 1 Lines 6-14, Column 2 Lines 25-33). Said procedure includes the step of receiving a message having header information that indicates said message's type (regarding said message's content, sender's identity, etc.) (Column 9 Lines 20-29). It is determined whether or not the frequency of message managing operations associated with the receipt of messages by the user's information terminal, said messages having a predetermined characteristic, exceeds a threshold (Column 6 Line 33 to Column 7 Line 8). Messages having a certain characteristic may be handled normally (retained) if they are received at a frequency below a threshold, and deleted if they are received at a frequency above a said threshold (Column 30 Lines 9-56, Fig. 36). Furthermore, Maruyama *et. al.* discloses the use of predicate logical equations, associated with messages, in the execution of the procedure for message switching involving comparisons to a threshold (Column 2 Lines 40-54, Column 3 Lines 17-31, Column 10 Lines 38-52).

At the time that the invention was made, it would have been obvious to one of ordinary skill in the art to modify the invention of Li *et. al.* by incorporating local temporary logical link identities associated with particular user terminals into messages.

One of ordinary skill in the art would have been motivated to make this modification in order to provide means by which a plurality of message processing procedures suitable for various users are easily met (Maruyama *et. al.*: Column 2 Lines 25-35).

7.   Claims 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li *et. al.* in view of Ekman *et. al.*, U.S. Patent No. 5,960,355.

Applicant has provided evidence in this file showing that the invention was owned

by, or subject to an obligation of assignment to, the same entity as the Ekman *et. al.*

reference at the time that this invention was made, or was subject to a joint research

agreement at the time this invention was made. However, the Ekman *et. al.* reference

additionally qualifies as prior art under another subsection of 35 U.S.C. 102, and

therefore, is not disqualified as prior art under 35 U.S.C. 103(c).

Applicant may overcome the applied art either by a showing under 37 CFR 1.132

that the invention disclosed therein was derived from the invention of this application,

and is therefore, not the invention "by another," or by antedating the applied art under

37 CFR 1.131.

Li *et. al.* does not expressly disclose the handling of situations whereby a BSS is

re-started.

Ekman *et. al.* discloses a method pertaining to a wireless telecommunication

system (Abstract, Column 5 Lines 18-30, Fig. 1). Procedures for handling the restart of

a radio base station are disclosed (Column 9 Line 66 to Column 10 Line 13, Fig. 4).

At the time that the invention was made, it would have been obvious to one of

ordinary skill in the art to modify the invention of Li *et. al.* by providing for the procedures

of said invention to be performed after a restart of the BSS.

One of ordinary skill in the art would have been motivated to make this

modification so as to ensure the smooth transition of information transfer after a SGSN

re-start, namely, to avoid redundant information transfers and to avoid the loss of

information intended for a given user.

8.   Claims 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Li *et. al.* in view of En-Seung *et. al.*, U.S. Patent No. 6,892,306.

Li *et. al.* does not expressly disclose the use of an encrypted header.

En-Seung *et. al.* discloses a digital cryptograph and encryption process used in

the context of a digital content transmission system (Abstract, Column 4 Lines 46-51).

The invention may be used with wireless communication systems (Column 6 Lines 37-

53, Fig. 2). En-Seung *et. al.* discloses the use of an encrypted header field along with

an unencrypted header field (Column 12 Lines 38-67, Figs. 12-13).

At the time that the invention was made, it would have been obvious to one of

ordinary skill in the art to modify the invention of Li *et. al.* by providing for a message

that may have a second header that may be encrypted, and if the message frequency is

below the threshold and the second header is not encrypted, handling the message in

the normal way, and if the second header is encrypted, deleting the message

associated with said second header.

One of ordinary skill in the art would have been motivated to make this

modification because of the necessity of adequately dealing with messages that may

either be malicious or not intended for the receiving party.

Response to Arguments

9.   Applicant's argument, filed 21 April 2006, with respect to Martinez *et. al.*, U.S.

Patent Application Publication 2004/0015937, have been fully considered and are

persuasive. Therefore, the rejections involving Martinez *et. al.* have been withdrawn.

However, upon further consideration, new grounds of rejection are made in view of Li *et.*

al., as outlined above.

Conclusion

10.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Matthew W. Genack whose telephone number is 571-

272-7541. The examiner can normally be reached on FLEX.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Duc Nguyen can be reached on 571-272-7503. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-7541.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

·Business Center (EBC) at 866-217-9197 (toll-free).

Matthew Genack

Examiner

TC-2600, Division 2617

Matthew Genack

12 July 2006

                                                          DUC NGUYEN
                                                          PRIMARY EXAMINER